IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1754 OF 2007

Stanislaus Casimir D'Souza & Ors .. Petitioners.
Vs.
Additional Collector and
Competent Authority (U.L.C.)
Brihanmumbai & Ors .. Respondents.

Mr.P.K.Dhakepalkar with Mrs.Shamina Taly i/b
S.Mahomedbhai & Co. for the petitioners.
Mr.K.R.Belosey G.P. for the respondent.

CORAM : D.B.BHOSALE, J.
DATED : 10TH OCTOBER, 2007.

P.C.:

. Heard Mr.Dhakepalkar, learned senior counsel for the petitioner and Mr.Belosey, learned Government Pleader for the State.

2. By this writ petition, the petitioner has impugned an order dated 13th June, 2007 and a letter dated 17th July, 2007 by which a revision filed by the petitioner under section 34 of the Urban Land (Ceiling and Regulation) Act, 1976 came to be dismissed. Admittedly, the revision was disposed of without giving an opportunity of being heard to the petitioners. In the circumstances learned counsel for the petitioners prayed for remand. This prayer has not been opposed by the learned Government Pleader. In the circumstances I am satisfied that the following order

shall meet the ends of justice:

. The order dated 13th June, 2007 issued by the Under Secretary, Maharashtra Government rejecting the revision application is quashed and set aside. The revisional authority to consider and decide the revision application dated 3.12.2005 filed by the petitioners under section 34 afresh in accordance with law and after giving an opportunity of being heard to the petitioner. The revision be decided as expeditiously as possible and preferrably within a period of three months from the date of receipt of this order. All contentions are kept open.

. While passing this order I shall not be understood to have expressed any opinion on merits of the case. Mr.Dhakepalkar, learned senior counsel on behalf of the petitioners made a statement that the petitioners will either surrender the flats to the Government or pay the amount as demanded by the State Government after disposal of the revision application. His statement is accepted. The writ petition is disposed of.

(D.B.BHOSALE, J.)